

REMARKS

Applicants first wish to thank the Examiner for the courteous interview conducted with Applicants' representative, Ms. Leber, on July 18, 2007. During the interview, the Ingraham reference was discussed. The Examiner indicated that if the pending claims were amended to included structural language pertaining to the first and/or second elements, e.g., that one or both elements comprise co-acting plates, this would overcome the rejections of record. Applicants appreciate the Examiner's willingness to discuss the case and to point out allowable subject matter.

In view of the Examiner's comments, claim 1 has been amended to recite that the second flow element comprises a pair of co-acting perforated plates, at least one of the plates being configured to be turned relative to the other plate in a plane that lies parallel to the other plate, and claim 12 has been amended in similar fashion. Claim 1 has also been amended for clarity, and several dependent claims have been amended for proper antecedence.

New claim 22 features a device in which the first flow element and second flow element each comprises a pair of co-acting perforated plates.

Support for these amendments is found, for example, in the first full paragraph on page 5 of Applicant's specification.

Claims 1, 3-10 and 12 stand rejected under 35 U.S.C. 102(b) as being anticipated by Ingraham, and claims 1-10 and 12-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ingraham in view of Takeuchi. While Applicants do not concede that these rejections are proper, in order to advance prosecution Applicants have amended the claims as discussed above. Applicants respectfully request that the rejections be withdrawn and all claims be allowed in view of these amendments.

If the Examiner does not deem the claims to be in condition for allowance, Applicants respectfully request that the Examiner telephone the undersigned to discuss the case.

Please apply the fee for the Petition for Extension of Time, as well as any other charges or credits, to deposit account 06-1050, referencing Attorney Docket No. 02894-723US1.

Applicant : Ludwig et al.
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Attorney's Docket No.: 02894-723US1 / 06768-PT22/r

Respectfully submitted,

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